

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

| | | |
|---------------------------------|---|--------------------------|
| THOMAS EDWARD METCALF, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 2:21-CV-142-DCLC-CRW |
| |) | |
| SGT. ATKINS, BERT C. BOYD, SGT. |) | |
| GREGG, and OFFICER LEATHER, |) | |
| |) | |
| Defendant. |) | |

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed herewith, Plaintiff's motion for leave to proceed *in forma pauperis* [Doc. 1] is **DENIED**, Plaintiff is **ASSESSED** the filing fee of \$400.00, the custodian of Plaintiff's inmate trust account is **DIRECTED** to submit payments toward the filing fee in the manner set forth in the memorandum opinion, and this prisoner pro se complaint for violation of 42 U.S.C. § 1983 is **DISMISSED** pursuant to Rule. 41(b) of the Federal Rules of Civil Procedure. The Clerk is **DIRECTED** to provide a copy of the memorandum opinion and this order to the Attorney General for the State of Tennessee, the custodian of inmate trust accounts at Plaintiff's current facility, and the Court's financial deputy.

Because the Court has **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

SO ORDERED.

ENTER:

s/Clifton L. Corker
United States District Judge

ENTERED AS A JUDGMENT:

s/LeAnna Wilson
CLERK OF COURT